



12170 B
CEB:lp
13 Jul 09

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

-----X
Applicants : Devon SHYU and John MAT :
Serial No. : 09/821,135 :
Filed : March 30, 2001 :
For : **CCD SCANNER CAPABLE OF SCANNING AT
AN ARBITRARY ANGLE** :
Art Unit : 2873 :
Examiner : Senior Petitions Examiner Patricia BALL :
-----X

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attention: Petitions Examiner Patricia BALL

Dear Examiner BALL:

COMMUNICATION

Issuance of a Patent on the above referenced United States Application is requested

MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as First-Class mail in an envelope addressed to: BOX-NO FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below:

Charles E. Baxley

Attorney's Name

Charles E. Baxley

Signature

July 13, 2009

Date

respectively. In Bibliographic Data the Application is stated to be: "Abandonment for Failure to Correct Drawings/Oath/NonPub Request."

In actual fact the Application had been abandoned and was thereafter revived and was at its last sighting to be forwarded by the Office of Petitions to the Publishing Division for issuance of the Patent. A Decision of the Office of Petitions by Petitions Examiner Retta WILLIAMS had issued on December 27, 2002.

Inquiries about the Application have been made over the years, without success. In April 2004 it was reported that the prosecution filed had been misplaced(?). This firm has been in contact with Examiner Alicia M. HARRINGTON and with Examiner Elizabeth A. ALBERT and more currently with you, Ms. BALL. However, the Application seems to remain an orphan.

I understand from you that the Application likely was misdirected and it needs redirection to the Office of Publications.

In view of the foregoing Applicant requests respectfully that appropriate steps be taken at PTO to have a Patent issue hereon as soon as possible. The Application was filed on March 30, 2001 and it is now more than Eight (8) years old. The delay in issuance appears to be PTO's responsibility.

Courtesy, cooperation and skill of Senior Petitions Examiner Patricia BALL are acknowledged and appreciated.

Dated: New York, New York
July 13, 2009

Respectfully,

HART, BAXLEY, DANIELS & HOLTON

By: 

CHARLES E. BAXLEY

Attorney of Record

USPTO Reg 20,149

90 John Street, Suite 309

New York, NY 10038-3243

Tel: (212) 791-7200

Fax: (212) 791-7276

E-Mail: ceb@hartbaxley.com